

Atty Docket: ONYX1028-DIV  
Serial N . 10/054,435

**Remarks**

The above Amendments and these Remarks are in reply to the Office action mailed April 23, 2003

**Claim Objections**

Claims 3, 30 and 31 have been objected to because of certain informalities. Claim 3 has been amended to read "which is human" in place of "which is of human." Claims 30 and 31 have been cancelled.

**Claim Rejection under 35 USC § 112**

Claims 1-6 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner has stated that the phrase "a biologically-active fragment" is indefinite because it does not define what the "activity" is. The Examiner will note that Applicants have cancelled claim 1, and amended claim 2 such that it is now the main independent claim. Claim 2 recites the language that the Examiner has indicated would overcome the objection.

**Claim Rejection under 35 USC § 102**

Claims 1-3, 6, 30 and 31 are rejected under 35 U.S.C § 102(b) as being anticipated by WO 98/23743 (Davies et al.). Claims 1, 30 and 31 have been cancelled, thus the rejection as to them is moot. As for the remaining claims, Davies et al do not show each and every feature recited in claims 2, 3 and 6. Particularly not shown are the biological properties attributed to

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Applicants' Rac-GEF, and more particularly its amino acid sequence (SEQ. ID. NO:2). Since all these features claimed by the Applicants are not shown in Davies et al, it cannot be relied on to form the basis for a 102(b) rejection.

Claims 1, 2, 6 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Chuang et al. Claims 1, and 30 have been cancelled, thus the rejection as to them is moot.

As for the remaining claims, 2 and 6, both recite (claim 6 by way of dependency) certain properties that their Rac-GEF, or biologically active fragments have that are not shown by Chuang et al. Particularly note that Applicants Rac-GEFs' have cellular oncogenic transforming activity. This is not shown by Chuang et al. Thus, Applicants respectfully request that the rejection based thereon be withdrawn.

Claims 1-3, 6 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,994,070 (Strculi et al). Claims 1 and 30 have been cancelled, thus the rejection as to them is moot. Regarding the remaining claims, claims 2, 3, and 6, these claims recite a feature of Applicants' Rac-GEFs not shown in the cited reference which is cellular oncogenic transforming activity. Thus, since this reference also does not show each and every feature claimed by the Applicants, the 102(b) rejection should be withdrawn.

#### New Claims

The Examiner will note that Applicants have added two new claims, claims 68 and 69. These claim Rac-GEFs which are encoded by certain nucleotide sequences which either comprise at least 95% nucleotide sequence identity to the nucleotide sequence set forth in SEQ. ID. NO:1, or that hybridize, under stringent conditions, to the nucleotide sequence of SEQ. ID. NO: 1.

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The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 15-0615 for any matter in connection with this response, including any fee for extension of time, which may be required. A duplicate copy of this authorization is enclosed.

The other papers enclosed or associated with this communication include:

[X] A Petition for a Three Month extension of time

[X] 5 Sheets of replacement drawings

Respectfully submitted,

Date: 10/22/03

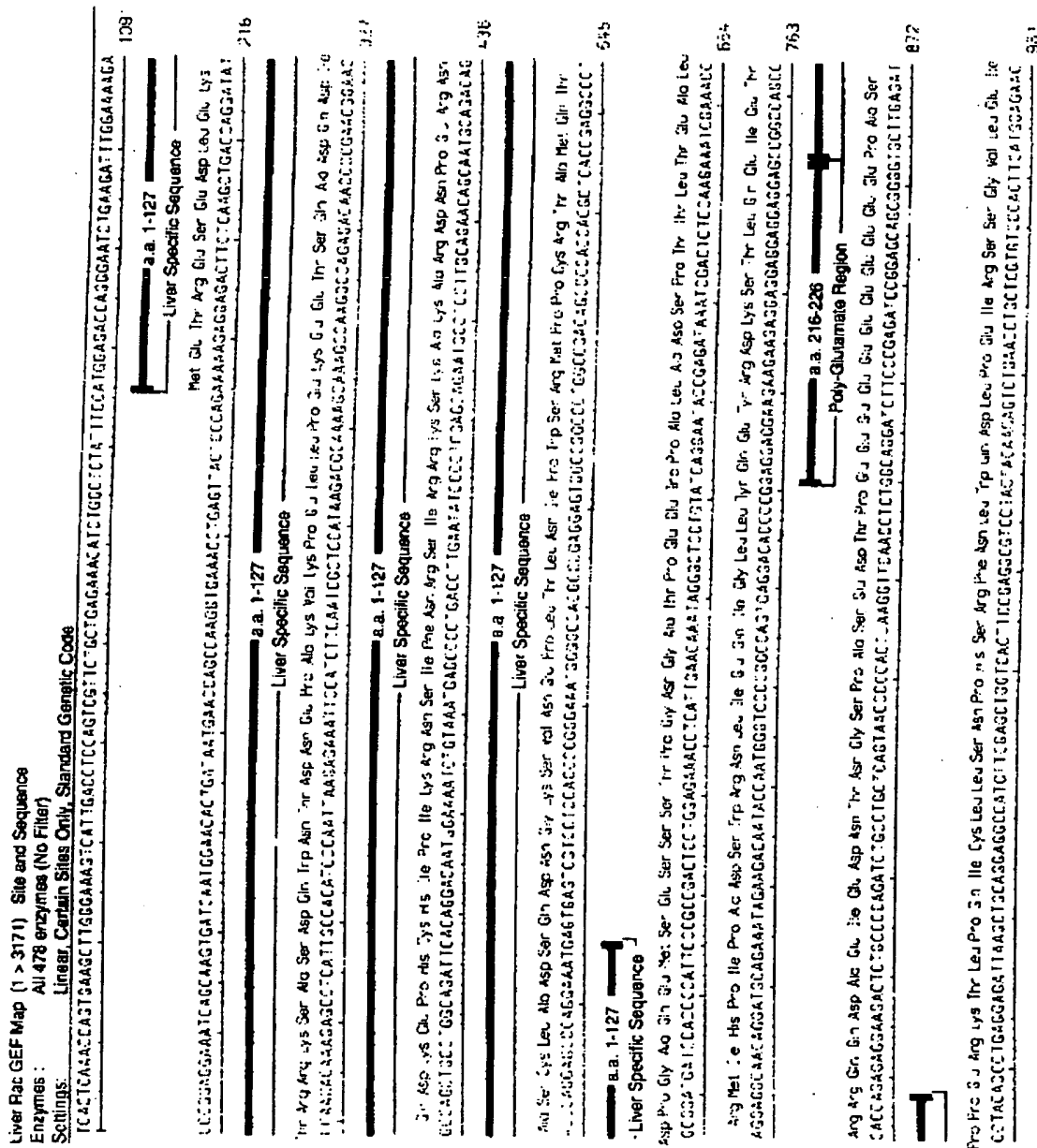
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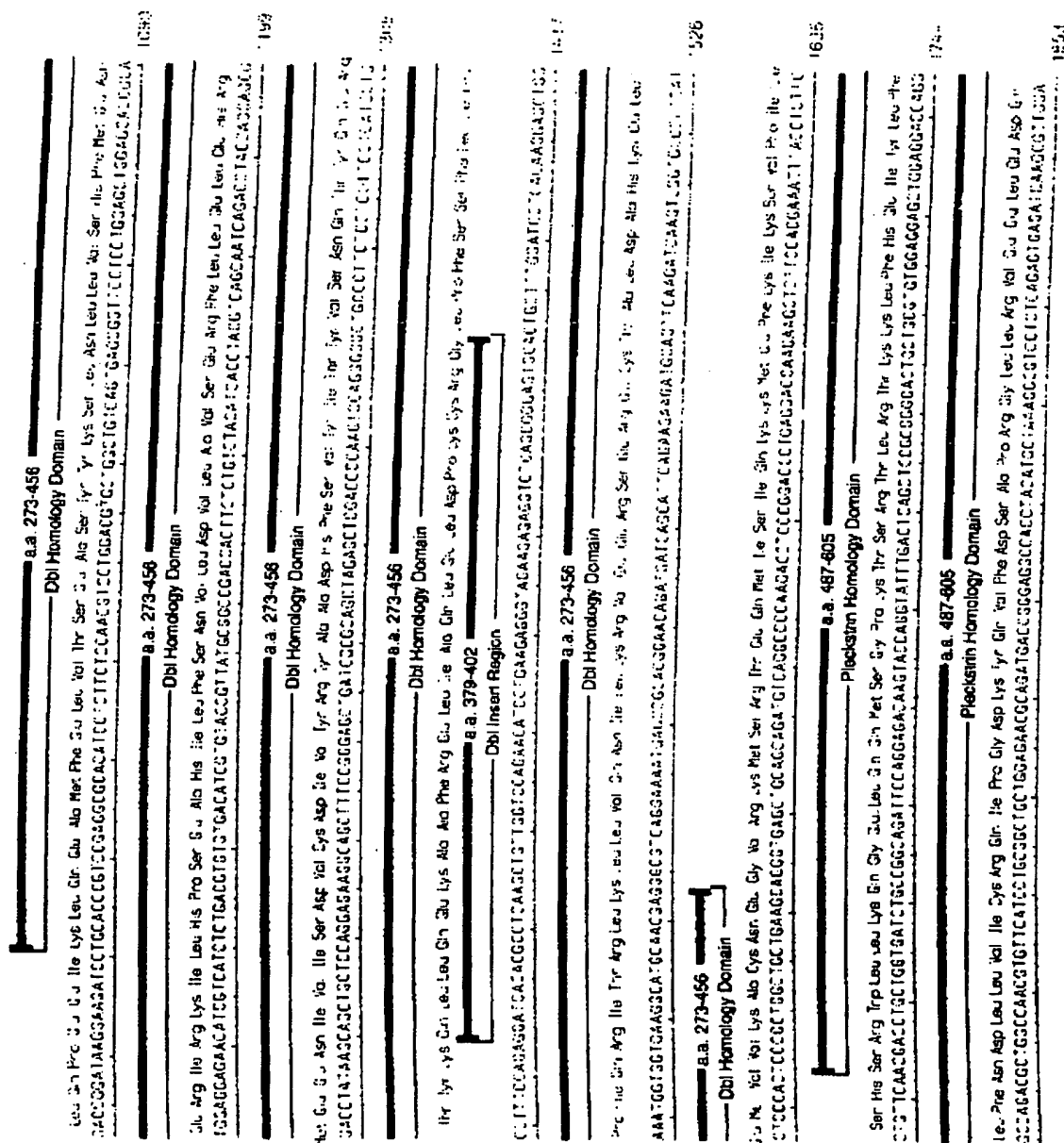
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### FIGURE 1-1

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### FIGURE 1-2

[illegible]

### FIGURE 1-3

[illegible]

Figure 2

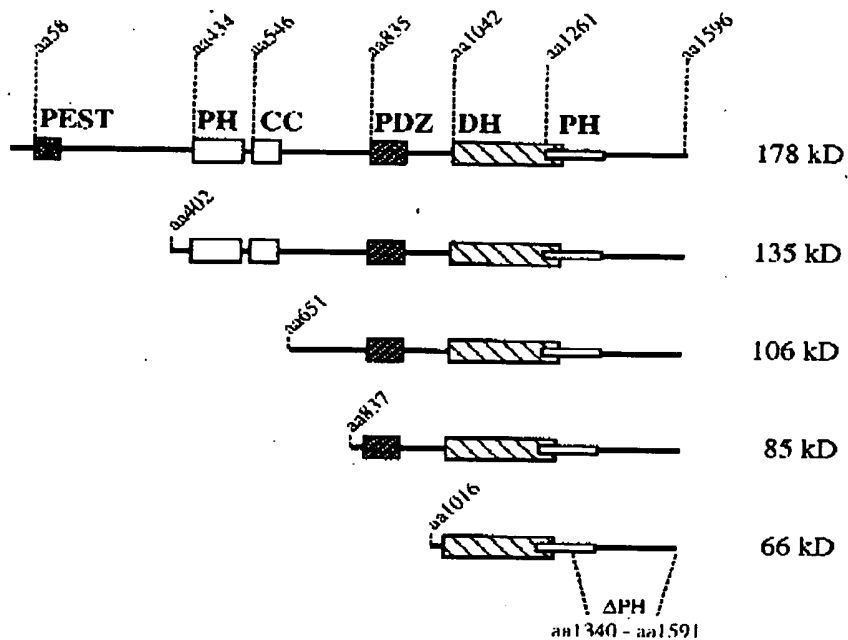


Figure 3



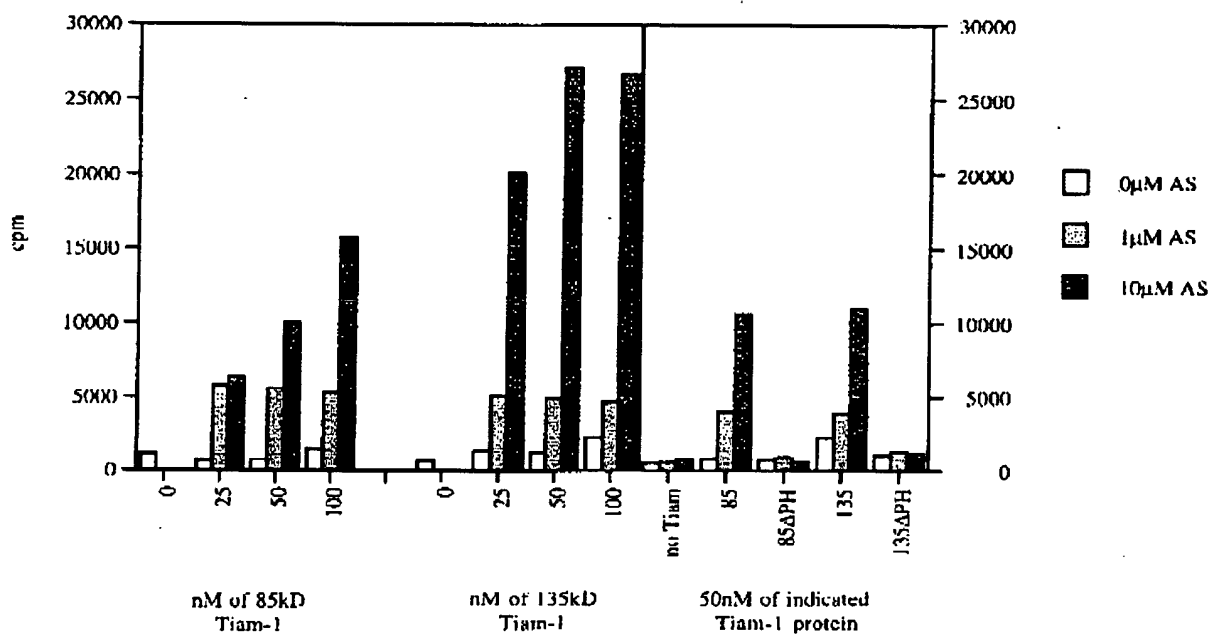


Figure 4

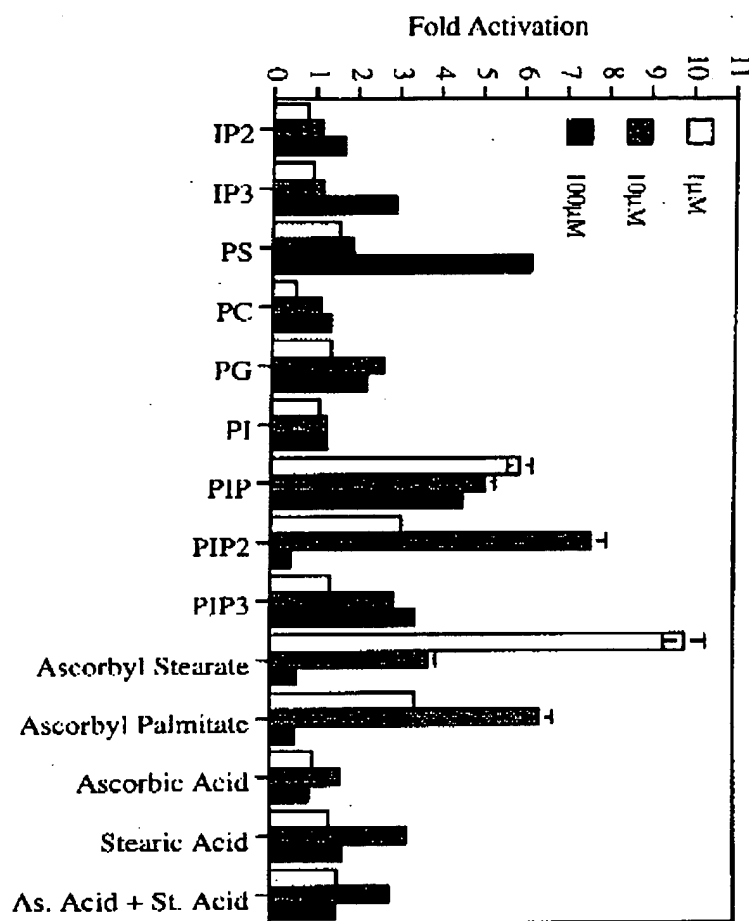


Figure 5

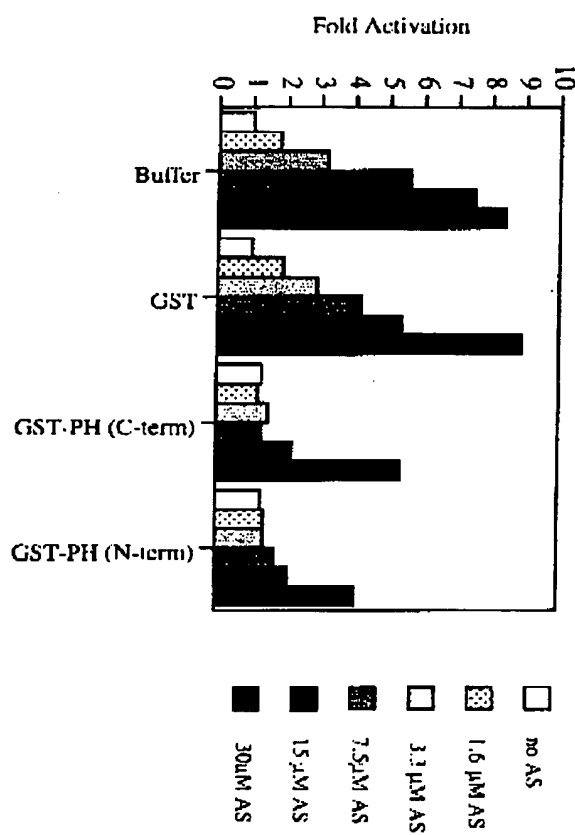


Figure 6